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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WOODS ET AL., No. C 05-02287 MEJ
Plaintiff, ORDER TO SHOW CAUSE
v.
DC-3 ENTERTAINMENT LLLP ET AL.,
Defendant.

On January 15, 2009, this matter was referred to the undersigned magistrate judge to conduct a settlement conference. (Dkt. #159.) Notice of this referral was delivered electronically to Plaintiff's counsel of record, Stanley Stone and Steven Stone.

On January 26, 2009, the matter was scheduled for a settlement conference to take place on May 20, 2009 at 10:00 a.m. (Dkt. #160.) Notice was once again electronically delivered to Plaintiff's counsel of record. Although Defendants came from Seattle for the conference on May 20, neither Plaintiffs nor their counsel appeared.

The Court notes that Plaintiff's counsel filed a Notice of Withdrawal of Counsel on December 16, 2008. (Dkt. #157.) However, counsel were never relieved of their duty to represent the plaintiffs by an order of the Court. *See* Civil Local Rule 11.5. Accordingly, Plaintiffs' counsel were responsible for informing their clients of the May 20 settlement conference, submitting a settlement statement one week prior to the conference, and attending the settlement conference with their clients. Plaintiff's counsel failed to submit a statement, failed to attend the May 20 conference,

1 and, based on the plaintiffs failure to appear, the Court can only assume that they failed to inform
2 their clients of the conference.

3 Accordingly, the Court hereby ORDERS Plaintiff's counsel of record, Stanley Stone and
4 Steven Stone, to show cause why sanctions should not be imposed, including reimbursement of
5 Defendants' travel expenses and attorney's fees, for failure to comply with their duties as counsel of
6 record before this Court. Counsel shall file a declaration by June 18, 2009, and the Court shall
7 conduct a hearing on July 2, 2009 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate
8 Avenue, San Francisco, California.

9 **IT IS SO ORDERED.**

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11 Dated: May 20, 2009

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14 MARIA-ELENA JAMES
15 United States Magistrate Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

5 WOODS ET AL et al,

6 Plaintiff,

7 v.

8 DC-3 ENTERTAINMENT LLLP ET AL et al,

9 Defendant.
10 /

11 Case Number: CV05-02287 MJJ

12 **CERTIFICATE OF SERVICE**

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

14 That on May 20, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

15 Deborah Woods
16 Steven Sterback
17 2107 Powell Rd
18 Clarksville TN 37043

19 Dated: May 20, 2009

20 Richard W. Wiking, Clerk
21 By: Brenda Tolbert, Deputy Clerk